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Denise Ortega

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jan Zavada et al.

Serial No.: 09/807,949

Group Art Unit:

Filed : April 19, 2001

Examiner:

For : MN Gene and Protein

INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR SECTIONS 1.56, 1.97 AND 1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The accompanying PTO Form 1449 is submitted pursuant to 37 CFR Sections 1.56, 1.97 and 1.98, directing Applicants to submit literature and information that may be considered material to the examination of the claims of an application. Applicants respectfully submit that this Information Disclosure Statement (IDS) should be considered in accordance with 37 CFR 1.97(b)(3), as it is being submitted "[b]efore the mailing date of a first Office action on the merits . . . " for the subject application,

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and that therefore, no fee is required for its consideration.

However, should any fees be determined to be necessary in connection with this paper, Applicants respectfully request that any such fees be charged to Deposit Account No. 12-0615.

Applicants respectfully point out that the "filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in Section 1.56(b)" [37 CFR Section 1.97(h)]; and that an information disclosure statement filed in accordance with 37 CFR Section 1.97 "shall not be construed as a representation that a search has been made." [37 CFR Section 1.97(g)]

Further the identification of any document herein is not intended to be, and, Applicants respectfully submit, should not be construed as being, an admission that such a document, in fact, constitutes "prior art" within the meaning of the applicable laws, since, for example, a given document may have a later effective date than at first seems apparent, or the document may have an effective date which can be antedated. Applicants respectfully conclude on this point that the "prior art" status of any document is a matter to be resolved during prosecution.

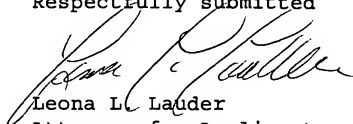
Thus, Applicants respectfully conclude that the citation of references herein is not intended to be an admission

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that any of the references are considered to be material or to constitute prior art, or that any of the references, either alone or in combination with any other references, would be sufficient to render any of the claims of the above-identified patent application unpatentable.

Respectfully submitted

A handwritten signature in dark ink, appearing to read 'Leona L. Lauder', is written over the typed name.

Leona L. Lauder
Attorney for Applicant
Registration No. 30,863

Dated: August 7, 2001

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U.S. PATENT DOCUMENTS

EXAM. INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	5 3 8 7 6 7 6	02/07/95	Zavada et al.	536	23.5	
	5 5 8 5 4 7 9	12/17/96	Hoke et al.	536	24.5	

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO
0 5 3 0 0 5 0	12/21/95	WO	C12N 15/12 C07K 14/82, C12N 1/21, 15/62, C12Q 1/68, A61K 39/00, C12N 5/16, C07K 16/18, C12N 15/87, G01N 33/50, A61K 48/00		
9 8 1 8 1 9 8	09/16/93	WO	C12N 15/33, 1/20, 5/10 A61K 39/12, C12N 15/62 C12P 21/08, A16K39/395 G01N 33/569		
8 8 0 8 8 5 4	11/17/88	WO	C07K 15/00, A61K 49/02 G01N 33/574, A61K 39/395 C12P 21/00//C12N 15/00 C12N 5/00 (C12P 21:00 C12R 1:91)		

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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.Y./ (05/12/2008)

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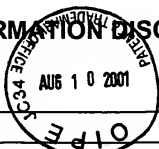
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